

Assembly Bill No. 1572

CHAPTER 299

An act to add Section 2555.1 to the Streets and Highways Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 13, 2012. Filed with
Secretary of State September 13, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1572, Fletcher. Service authorities for freeway emergencies: San Diego County.

Existing law authorizes a service authority for freeway emergencies to be established in any county for the purpose of funding the installation of callboxes along freeways and expressways to enable motorists in need of aid to obtain assistance. Existing law provides that a service authority may impose an annual fee of \$1 on vehicles registered in the county for this and other related purposes, which fee is collected by the Department of Motor Vehicles (DMV).

This bill, with respect to the service authority created in the County of San Diego, would provide for the authority to be dissolved on January 1, 2013, and for the San Diego Association of Governments (SANDAG) to become the successor authority and to assume the remaining responsibility for maintaining callboxes as of that date. The bill would require the authority to develop a plan, as specified, for transitioning its responsibilities to SANDAG in the transition period between the effective date of this bill and January 1, 2013, and would require SANDAG's approval for the authority to expend funds or enter into contracts during that transition period. The bill would limit the reserves that SANDAG, as the successor to the authority, may hold at the time this bill becomes effective to \$4,000,000, and would require SANDAG to distribute, by March 31, 2013, any reserves in excess of that amount to cities in the County of San Diego, and to the county with respect to the unincorporated area of the county, in proportion to fees paid for purposes of the service authority in the 2010–11 fiscal year by residents of each city and the unincorporated area. The bill would require the recipient jurisdictions to use these revenues for the purposes for which the fees were collected. The bill would also require SANDAG to post its detailed budget relative to the revenues from the collection of the fee, and the expenditure of these funds, on its Internet Web site, as specified. The bill would also authorize SANDAG, as the successor authority, to continue funding specified helicopter programs.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would provide that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 2555.1 is added to the Streets and Highways Code, to read:

2555.1. (a) On January 1, 2013, the service authority created in the County of San Diego shall be dissolved, and, notwithstanding Section 2551, SANDAG shall become the successor to the dissolved service authority and assume the remaining responsibilities for all operational, administrative, and maintenance tasks for the callbox system. SANDAG shall post its detailed budget relative to the revenue received from the collection of fees pursuant to Section 9250.10 of the Vehicle Code, and the expenditures of these funds, on its Internet Web site.

(b) Any reserves in excess of four million dollars (\$4,000,000) held by the authority on the date that the act adding this section becomes effective shall be distributed to cities in the County of San Diego, and to the county with respect to the unincorporated area of the county, in proportion to fees paid pursuant to Section 2555 in the 2010–11 fiscal year by residents of each city and the unincorporated area. SANDAG, as the successor authority, shall distribute the funds on or before March 31, 2013. The distributed funds shall be used by the recipient jurisdictions in compliance with the provisions of Section 2557.

(c) The authority shall develop a plan in consultation with SANDAG for transitioning its responsibilities to SANDAG during the transition period between the effective date of the act adding this section and January 1, 2013. During the transition period, the authority shall not expend any funds or enter into any contracts without written approval from SANDAG.

(d) SANDAG as the successor authority may continue to fund police, fire, and rescue helicopter programs consistent with the provisions of Section 2557.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide for SANDAG to absorb the responsibilities of the authority in the County of San Diego as quickly as possible, for the speedy redistribution of excess reserves held by the authority, and for preservation

of the authority's remaining reserve funds, it is necessary that this act take effect immediately.

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